THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.29697 of 1995

Dated:04.04.2006

Between:
Sri Pitta Rajaiah.

..... PETITIONER

AND

The Mandal Revenue Officer, Bhadrachalam Mandal, Khammam District, and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.29697 of 1995

ORDER:

The petitioner claims that he belongs to Schedule Tribe community. He alleges that he is a pattadar of land admeasuring Acs.3.20 cents in Survey No.27/2 situated at Gokubaka Village, Khammam District. He alleges that the Settlement Officer issued a ryotwari patta under the Andhra Pradesh (Scheduled Areas Ryotwari Settlement) Regulation, 1970 (Regulation II of 1970, for brevity) in favour of Bolla Narayana in Case No.5111, dated 13.08.1979. The petitioner was not made a party to the same, though the petitioner and his father were in possession of the land for more than thirty five years. After coming to know about the ryotwari patta granted by the Settlement Officer to Bolla Narayana, the petitioner made a representation dated 14.02.1995 to the Project Officer, Integrated Tribal Development Agency (ITDA). In proceedings No.73/95, dated 18.02.1995, the Project Officer, ITDA, directed the Mandal Revenue Officer to conduct enquiry into the matter. However, the Mandal Revenue Officer did not pass any orders. The petitioner, therefore, seeks a direction to dispose of the representation and restore possession.

A counter affidavit is filed stating that the Mandal Revenue Officer conducted enquiry and sent a reply to the Project Officer, ITDA, vide Rc.No.A/380/95, dated 05.05.1995, requesting to advise the petitioner to file an appeal before the appellate authority, namely, the Director of Settlements, Andhra Pradesh. The counter averment is not denied.

After hearing the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General), this Court is convinced that the representation of the petitioner has been duly considered, and if so advised, it is open to the petitioner to file an appeal before the Director of Settlements.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

–

_____

(V.V.S.RAO, J)

04.04.2006
vs